

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

RALPH BASS et al.,

Plaintiffs,

v.

**CITY OF FORSYTH, GEORGIA,
et al.,**

Defendants.

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Case No.: 5:06-cv-364 (CAR)

CONSENT ORDER

WHEREAS Plaintiffs alleged in their Complaint that Defendants James E. Pace, Jr., Individually, Thomas Steinkamp, Ronald M. Shipman, Jo Al P. Shipman, W. Philip Rhodes, Joe B. Rhodes, Lucy Ann Rhodes Bennett, Genevieve R. Miller, Walter R. Kyte, Nancy L. Kyte, Florence D. Pace, Plantation Investors, LLC and D. Alan Crotts (“the Individual Defendants”) are named as parties in this action pursuant to Fed. R. Civ. P. 19(a) because (1) in the absence of these Defendants complete relief cannot be accorded among the remaining parties, and (2) the Defendants claim interests relating to the subject of this action and are so situated that the disposition of the action in their absence may as a practical matter impair or impede their ability to protect those interests (Complaint, ¶ 23);

WHEREAS, the Individual Defendants filed a Motion to Dismiss the Plaintiffs’ Complaint for failure to state a claim upon which relief can be granted, along with a Brief in support thereof;

WHEREAS, the Individual Defendants contend that they are not proper parties to

the above-styled lawsuit, are not persons needed for just adjudication of the claims made against the other Defendants in this action, and that they are not needed for complete relief to be afforded;

WHEREAS, the other Defendants agree that the Individual Defendants are not proper parties to the above-styled lawsuit, are not persons needed for just adjudication of the claims made against the other Defendants in this action, and that they are not needed for complete relief to be afforded;

WHEREAS all parties consent to the Individual Defendants being dropped as parties to this action without prejudice under Fed.R.Civ.P. 21;

IT IS THEREFORE ORDERED that Defendants James E. Pace, Jr., Individually, Thomas Steinkamp, Ronald M. Shipman, Jo Al P. Shipman, W. Philip Rhodes, Joe B. Rhodes, Lucy Ann Rhodes Bennett, Genevieve R. Miller, Walter R. Kyte, Nancy L. Kyte, Florence D. Pace, Plantation Investors, LLC and D. Alan Crotts are hereby DROPPED as parties to this action without prejudice in accordance with Fed.R.Civ.P. 21.

IT IS SO ORDERED THIS 13th day of April, 2007.

s/ C. Ashley Royal
C. Ashley Royal
United States District Court Judge

CONSENTED TO BY:

Attorney for Plaintiffs:

Attorneys for Defendants:

/s/ Jerry A. Lumley
Jerry A. Lumley
Georgia Bar No. 460866
Lumley & Howell, LLP
350 Second Street
Macon, Georgia 31201
(478) 745-0111

/s/C.Robert Melton
C. Robert Melton
Georgia Bar No. 501500
Haygood, Lynch, Harris,
Melton, & Watson, LLP
87 N. Lee Street
P.O. Box 657

Forsyth, Georgia 31029
(478) 994-5171

/s/Kyler L. Wise
Richard W. Wilson, Jr.
Georgia Bar No. 768900
Kyler L. Wise
Georgia Bar No. 771285
Wilson Brock & Irby, LLC
Overlook I, Suite 700
2849 Paces Ferry Road
Atlanta, Georgia 30303
(404) 853-5050